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| APPLICATION NO. | F. | ILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------------------|------------|----------------------|------------------------------|------------------|
| 10/607,621 | | 06/27/2003 | Bernhard Duelli | GK-HEF-964 / 500639.20031 | 8023 |
| 26418 | 7590 | 09/21/2005 | | EXAMINER | |
| REED SM | ITH, LLP | • | FRISTOE JR, JOHN K | | |
| ATTN: PATENT RECORDS DEPARTMENT 599 LEXINGTON AVENUE, 29TH FLOOR | | | 1 | ART UNIT | PAPER NUMBER |
| | NEW YORK, NY 10022-7650 | | | 3751 | |

DATE MAILED: 09/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | Application No. | Applicant(s) | |
|---|--|---|--------------------|
| SUPPLEMENTAL | 10/607,621 | DUELLI ET AL. | |
| Notice of Allowability | Examiner | Art Unit | |
| | John K. Fristoe Jr. | 3751 | |
| The MAILING DATE of this communication app All claims being allowable, PROSECUTION ON THE MERITS IS herewith (or previously mailed), a Notice of Allowance (PTOL-85 NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT of the Office or upon petition by the applicant. See 37 CFR 1.31 | S (OR REMAINS) CLOSED in this ap 5) or other appropriate communication RIGHTS. This application is subject to 3 and MPEP 1308. | plication. If not includ will be mailed in due | ed course. THIS |
| 1. This communication is responsive to the amendment filed | <u>1 5/17/2005</u> . | | |
| 2. The allowed claim(s) is/are 23,25-32,38-41 and 43-51. | | | |
| 3. Acknowledgment is made of a claim for foreign priority to a) All b) Some* c) None of the: 1. Certified copies of the priority documents have 2. Certified copies of the priority documents have | ve been received. | | |
| 3. Copies of the certified copies of the priority d | | | tion from the |
| International Bureau (PCT Rule 17.2(a)). | | | |
| * Certified copies not received: | | | |
| Applicant has THREE MONTHS FROM THE "MAILING DATE noted below. Failure to timely comply will result in ABANDON THIS THREE-MONTH PERIOD IS NOT EXTENDABLE. | | complying with the re | quirements |
| 4. A SUBSTITUTE OATH OR DECLARATION must be subinformal PATENT APPLICATION (PTO-152) which gives | | | IOTICE OF |
| 5. CORRECTED DRAWINGS (as "replacement sheets") mu | ust be submitted. | | |
| (a) ☐ including changes required by the Notice of Draftspe | rson's Patent Drawing Review (PTO- | -948) attached | • |
| 1) 🗌 hereto or 2) 🔲 to Paper No./Mail Date | → | | |
| (b) ☐ including changes required by the attached Examine Paper No./Mail Date | r's Amendment / Comment or in the C | Office action of | |
| Identifying indicia such as the application number (see 37 CFR each sheet. Replacement sheet(s) should be labeled as such in | 1.84(c)) should be written on the drawing the header according to 37 CFR 1.121(| ngs in the front (not the d). | e back) of |
| 6. DEPOSIT OF and/or INFORMATION about the department attached Examiner's comment regarding REQUIREMENT | osit of BIOLOGICAL MATERIAL I FFOR THE DEPOSIT OF BIOLOGIC | must be submitted. AL MATERIAL. | Note the |
| | | | |
| | | | |

U.S. Patent and Trademark Office PTOL-37 (Rev. 7-05)

Attachment(s)

1. Notice of References Cited (PTO-892)

Paper No./Mail Date

of Biological Material

2.
Notice of Draftperson's Patent Drawing Review (PTO-948)

4. Examiner's Comment Regarding Requirement for Deposit

3.
Information Disclosure Statements (PTO-1449 or PTO/SB/08),

5. Notice of Informal Patent Application (PTO-152)

8.

Examiner's Statement of Reasons for Allowance

6. Interview Summary (PTO-413),

Paper No./Mail Date ____.

7.
Examiner's Amendment/Comment

9. Other _____.

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EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

IN THE CLAIMS:

In claim 47, line 18, "." has been deleted.

The above amendment to the claim has been made in order to correct a typographical error.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John K. Fristoe Jr. whose telephone number is (571) 272-4926. The examiner can normally be reached on Monday-Friday, 7: 00 a.m-4: 30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Justine R. Yu can be reached on (571) 272-4835. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

John K. Fristoe Jr.

Examiner

Art Unit 3751

JKF

EDWARD K. LOOK
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700

9/19/05